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From: CN=Phil North/OU=R10/O=USEPA/C=US
Sent: Wed 5/4/2011 9:04:09 PM
Subject: Re: Fw: 5/4, Wed, 2 pm Anchorage teleconf - Re: EPA Bristol Bay Watershed Assessment

Here is some back ground information on our Watershed Assessment. It can serve as an agenda for the call also.

EPA's motivation: We received requests from nine tribal governments from Bristol Bay and many others to use our 404(c) authority to prevent damage to Bristol Bay fisheries from large scale sulfide metals mining in the Bristol Bay watershed. Some of these requests specified the Pebble deposit, others were more general. Two tribal governments and others asked us not to use our 404(c) authority prior to the permit and NEPA processes.

EPA's Authority: The Clean Water Act Section 404(c) gives EPA the authority "prohibit", "deny or restrict the use of any defined area for specification as a disposal area" if discharge "will have an unacceptable adverse effect on municipal water supplies, shellfish beds and fishery areas (including spawning and breeding areas), wildlife, or recreational areas." The obvious resource of concern in Bristol Bay is the fishery. We are focusing on the fishery and will include wildlife and recreation as supporting information, where relevant. The authority is not for all discharges, only those authorized by the Corps of Engineers under Section 404.

EPA's Focus: As I said above, our focus is on the fishery because that is the resource most significantly at risk from large scale development. We are focussing on the Nushagak and Kvichak watersheds because those watersheds are primarily open to development, whereas the others are primarily in conservation status (under your management and NPS). Our outline for a watershed assessment includes a description of the fishery resources, including distribution and abundance, ecology, economics and cultural significance. We are reviewing existing and potential development in the watersheds by summarizing the 404 permits that have been issued to date and looking at other large-scale development

projects that have been proposed by someone. Mining, a road network and oil and gas have all been proposed. Oil and gas may not be in our target watersheds so may not be included.

We have posed three primary questions to be answered by the watershed assessment:

1. Is the Bristol Bay salmon fishery the one of a kind, world class fishery that it is depicted to be?
2. What are the existing and potential risks to Bristol Bay's salmon fishery associated with large-scale development such as hard rock mining?
3. Are there technologies or practices that will mitigate these risks?

EPA's Office of Research and Development will be applying the EPA Ecological Risk Assessment protocols as part of the watershed assessment. They will use the information gathered in describing the resources, environment and proposed development as the input for the risk assessment.

EPA is interested in receiving help from the FWS in describing wildlife resources in these two watersheds. First we are interested in wildlife that is supported by the salmon fishery. We would appreciate your help in summarizing existing information on the ecological links between the fishery and wildlife. This is not limited to bears. All links are relevant and how these links might relate to subsistence or other aspects of Alaska Native culture and the area economy. . Secondly we are interested in the potential effects of large scale development on wildlife areas as identified in the Clean Water Act Section 404(c).

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